

2005 DRAFTING REQUEST

Senate Amendment (SA-SB618)

Received: **03/01/2006**

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Tim Carpenter (608) 266-8535**

By/Representing: **Stuart Ewy**

This file may be shown to any legislator: **NO**

Drafter: **pgrant**

May Contact:

Addl. Drafters:

Subject: **Education - MPS**
Education - miscellaneous

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Carpenter@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Expand MPCP to certain senate districts

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pgrant 03/01/2006	wjackson 03/01/2006		_____			
/1			pgreensl 03/01/2006	_____	lnorthro 03/01/2006	lnorthro 03/01/2006	

FE Sent For:

<END>

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/?	pgrant	1 wj 3/1	3/1 ps	3/1 ps/le			
FE Sent For:							
<END>							

Grant, Peter

From: Ewy, Stuart
Sent: Wednesday, March 01, 2006 12:50 PM
To: Grant, Peter
Cc: Sen.Carpenter
Subject: RE: Message for Peter Grant

Hi Peter

Here are the answers.

I can do item 1.

Thank you

In item 2, currently the costs are determined by DPI. Do you want them audited as well? If so, does each private school choose an independent auditor?

Yes, all audited. Some schools are making a profit, and that is not what Tim believes the intent of this program. Audit by the Audit Bureau, no choosing of auditor by the school.

Regarding item 3, I'm not sure that it is constitutional to make a law contingent upon the passage of a referendum in one city, even if the law applies only in that city.

Do your best!

Also, do you mean that after 2006-07, the cap is not increased above the number of students attending in 2006-07 unless the state pays the costs?

Yes. In a sense, the cap collapses to the number of current enrollees, unless the state pays the costs of any student over that new "cap."

Please also see my question regarding item 5, below.

Okay.

Item 4 is most likely unconstitutional as a private or local law. It also raises equal protection issues. And there are a number of practical issues. For example, many (most?) school districts straddle senate district lines.. Which senate district do they belong to? What happens if a Republican senator loses an election? Does the program immediately cease?

Point taken. Expand the program to all schools in Senate Districts 8, 33, 28, 21, with a cap of 7500.

In item 5, do you mean the increase in the cap is applicable in 2006-07, but not in any subsequent school year unless the state pays the city's property tax costs for that year? So the program could alternately sunset and then revive?

Yes, it could revive if and only if the state government pays the portion that the MKE property taxpayers would have to pay.

Cheers,

s

From: Grant, Peter
Sent: Wednesday, March 01, 2006 11:53 AM
To: Ewy, Stuart
Subject: RE: Message for Peter Grant

I can do item 1.

In item 2, currently the costs are determined by DPI. Do you want them audited as well? If so, does each private school choose an independent auditor?

Regarding item 3, I'm not sure that it is constitutional to make a law contingent upon the passage of a referendum in one city, even if the law applies only in that city. Also, do you mean that after 2006-07, the cap is not increased above the number of students attending in 2006-07 unless the state pays the costs? Please also see my question regarding item 5, below.

Item 4 is most likely unconstitutional as a private or local law. It also raises equal protection issues. And there are a number of practical issues. For example, many (most?) school districts straddle senate district lines.. Which senate district do they belong to? What happens if a Republican senator loses an election? Does the program immediately cease?

In item 5, do you mean the increase in the cap is applicable in 2006-07, but not in any subsequent school year unless the state pays the city's property tax costs for that year? So the program could alternately sunset and then revive?

From: Ewy, Stuart
Sent: Wednesday, March 01, 2006 11:11 AM
To: LRB.Legal; Grant, Peter
Cc: Sen.Carpenter
Subject: Message for Peter Grant

Peter Grant

Hi Peter-

Regarding SB 618 regarding changes to the voucher program, we hear that the bill may come up for a vote on Thursday. Looks like a compromise will not be reached prior to then to protect MKE property taxpayers, so Tim would like to go ahead with the following amendments drafted so that he can offer them on the floor.

- 1) Require a separate line on Milwaukee Property tax bill, starting in 2006, showing proportion of taxes going to MPS, and those going to pay for Vouchers Schools
- 2) Voucher Schools get paid only audited actual costs to educate the student -- not flat rate of \$6,500 per pupil, but \$6500 would be the max. Costs would be audited to make sure costs are going for legitimate educational needs, not principal's new Mercedes Benz automobiles, etc
- 3) It is expected that not all the 7500 new student slots would be filled in the first year (rather like 2200 new students, I think). Tim would like a referendum in the City of Milwaukee on November 2006 ballot that asks something like: "Currently, Milwaukee Property Taxpayers are paying approximately \$1,000 per each student enrolled in the Milwaukee Parental Choice Program. After the 2006 year should any more students than are currently enrolled be enrolled in the program -- should this cost be paid by the state instead of Milwaukee property taxpayers?" Tim would like to make this referendum not advisory, but binding upon the state. Can this be done?
- 4) Expand the voucher program statewide to school districts in all areas currently represented by GOP Senators. Each district would allow 7500 students in the program.
- 5) Sunset the cap increase in 2007 if the state does not pay Milwaukee's property tax costs for this program.

Can you draft these?

Thank you!

G. Stuart Ewy
Office of Sen. Tim Carpenter
608.266.8535

2005

Date (time)
needed

TODAY

LRBa 2589, 1

PG : WLj :

AMENDMENT

See form AMENDMENTS — COMPONENTS & ITEMS.

S A AMENDMENT ✓

TO S A AMENDMENT (LRBa /),

TO S A SUBSTITUTE AMENDMENT (LRBs /),

TO 2005 SB SJR SR AB AJR AR 618 (LRB- /)

At the locations indicated, amend the bill as follows:

(fill ONLY if "engrossed" or "as shown by")

- ✓ #. Page 1., line 5: alter "Program" insert
"and making an appropriation" ✓
- ✓ #. Page 3., line 1..: before that line insert ☺

#. Page, line:

#. Page, line:

#. Page, line:

Section # 20.255 (2) (fu) of the statutes is amended to read:

20.255 (2) (fu) *Milwaukee parental choice program*. A sum sufficient to make the payments to private schools under s. 119.23 (4) and (4m). "o

History: 1971 c. 42, 56, 125; 1971 c. 152 s. 38; 1971 c. 154 s. 80; 1971 c. 211 ss. 24, 126; 1971 c. 215; 1973 c. 89 s. 20 (2); 1973 c. 90, 190, 243, 300, 307, 333, 336; 1975 c. 39 ss. 97 to 109, 732 (1); 1975 c. 105, 220, 224, 395; 1977 c. 26 s. 75; 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 418 ss. 88m to 90, 929 (55); 1979 c. 34 ss. 164 to 191, 2102 (43) (a); 1979 c. 221 ss. 96e to 97w, 2200 (43); 1979 c. 331; 1979 c. 346 ss. 9, 15; 1981 c. 20, 86, 169; 1981 c. 314 s. 146; 1983 a. 22 s. 6; 1983 a. 27 ss. 158 to 212, 2200 (42), 2202 (42); 1983 a. 192; 1983 a. 333 s. 6; 1983 a. 370; 1985 a. 29, 56, 75, 120; 1987 a. 27, 339, 399; 1989 a. 31, 56, 114, 122, 269, 299, 309, 336, 359; 1991 a. 32, 39, 196, 269; 1993 a. 16, 168, 367, 377, 437, 454, 458, 490, 491; 1995 a. 27 ss. 563, 567 to 599, 622, 623, 9145 (1); 1995 a. 49, 227; 1997 a. 27, 113, 164, 237, 252; 1999 a. 9, 185; 2001 a. 16, 57, 105, 109; 2003 a. 33; 2005 a. 25, 43.

ss. 118063 (4) and (4m) and

Page 3, line 1: substitute "SECTION 1r" for "SECTION 1" o

Page 3, line 15: after that line insert :

Section # 119.23 of the statutes is ~~amended~~ ^{created} to read:

Please
fix
Comp.

119.23 Milwaukee parental choice program. (1) In this section:

- (a) "Membership" has the meaning given in s. 121.004 (5).
- (b) "Summer average daily membership equivalent" has the meaning given in s. 121.004 (8).
- (c) "Summer choice average daily membership equivalent" means the summer average daily membership equivalent of pupils who were attending a private school under this section on the 2nd Friday of January of the school term immediately preceding that summer or whose applications have been accepted under sub. (3) for attendance at the private school in the school term immediately following that summer.
- (d) "Teacher" means a person who has primary responsibility for the academic instruction of pupils.

NOTE: Par. (d) is created eff. 7-1-06 by 2005 Wis. Act 25.

a school district located
in whole or in part in Senate
district 8, 2, 28, or 33

(2) (a) Subject to par. (b), any pupil in grades kindergarten to 12 who resides within the city may attend, at no charge, any private school located in the city if all of the following apply:

1. The pupil is a member of a family that has a total family income that does not exceed an amount equal to 1.75 times the poverty level determined in accordance with criteria established by the director of the federal office of management and budget.

2. In the previous school year the pupil was enrolled in the school district operating under this chapter, was attending a private school under this section, was enrolled in grades kindergarten to 3 in a private school located in the city other than under this section or was not enrolled in school.

2.30 The private school notified the state superintendent of its intent to participate in the program under this section by February 1 of the previous school year. The notice shall specify the number of pupils participating in the program under this section for which the school has space.

3.40 The private school complies with 42 USC 2000d.

4.50 The private school meets all health and safety laws or codes that apply to public schools.

560 All of the private school's teachers have graduated from high school or been granted a declaration of equivalency of high school graduation.

NOTE: Subd. 6. is created eff. 7-1-06 by 2005 Wis. Act 25.

(b) No more than 15% of the school district's membership may attend private schools under this section. If in any school year there are more spaces available in the participating private schools than the maximum number of pupils allowed to participate, the department shall prorate the number of spaces available at each participating private school.

7,500 pupils no wanted
under 50,120,004 (71)

in an
single
school
district

(3) (a) The pupil or the pupil's parent or guardian shall submit an application, on a form provided by the state superintendent, to the participating private school that the pupil wishes to attend. Within 60 days after receiving the application, the private school shall notify the applicant, in writing, whether the application has been accepted. The state superintendent shall ensure that the private school determines which pupils to accept on a random basis, except that the private school may give preference in accepting applications to siblings of pupils accepted on a random basis.

(b) If the private school rejects an applicant because it has too few available spaces, the pupil may transfer his or her application to a participating private school that has space available.

(4) (a) Annually, on or before October 15, a private school participating in the program under this section shall file with the department a report stating its summer average daily membership equivalent and its summer choice average daily membership equivalent for the purpose of sub. (4m).

(b) Upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school during a school term, the state superintendent shall pay to the parent or guardian, from the appropriation under s. 20.255 (2) (fu), an amount equal to the lesser of the following:

1. The amount equal to the private school's operating and debt service cost per pupil that is related to educational programming, as determined by the department.

2. The amount paid per pupil under this paragraph in the previous school year multiplied by the sum of 1.0 plus the percentage change from the previous school year to the current school year in the total amount appropriated under s. 20.255 (2) (ac) expressed as a decimal, but not less than zero.

50,114,023 (4)(b)

(c) The state superintendent shall pay 25% of the total amount under par. (b) in September, 25% in November, 25% in February and 25% in May. The state superintendent may include the entire amount under sub. (4m) in one of those installments or apportion the entire amount among one or more of those installments. The department shall send the check to the private school. The parent or guardian shall restrictively endorse the check for the use of the private school.

(4m) In addition to the payment under sub. (4) the state superintendent shall pay to the parent or guardian of each pupil enrolled in a private school under this section, in the manner described in sub. (4) (c), an amount determined by multiplying 40% of the payment under sub. (4) by the quotient determined by dividing the summer choice average daily membership equivalent of the private school by the total number of pupils for whom payments are being made under sub. (4).

(5) The state superintendent shall ensure that pupils and parents and guardians of pupils who reside in the ~~city~~ ^{school district} are informed annually of the private schools participating in the program under this section.

(6) The board shall provide transportation to pupils attending a private school under this section if required under s. 121.54 and may claim transportation aid under s. 121.58 for pupils so transported.

(7) (a) Each private school participating in the program under this section shall meet at least one of the following standards:

1. At least 70% of the pupils in the program advance one grade level each year.
2. The private school's average attendance rate for the pupils in the program is at least 90%.
3. At least 80% of the pupils in the program demonstrate significant academic progress.
4. At least 70% of the families of pupils in the program meet parent involvement criteria established by the private school.

(am) Each private school participating in the program under this section is subject to uniform financial accounting standards established by the department. Annually by September 1 following

a school year in which a private school participated in the program under this section, the private school shall submit to the department all of the following:

1. An independent financial audit of the private school conducted by a certified public accountant, accompanied by the auditor's statement that the report is free of material misstatements and fairly presents pupil costs under sub. (4) (b) 1. The audit under this subdivision shall be limited in scope to those records that are necessary for the department to make payments under subs. (4) and (4m).

2. Evidence of sound fiscal practices, as prescribed by the department by rule.

(c) A private school may not require a pupil attending the private school under this section to participate in any religious activity if the pupil's parent or guardian submits to the pupil's teacher or the private school's principal a written request that the pupil be exempt from such activities.

(d) By August 1 before the first school term of participation in the program, or by May 1 if the private school begins participating in the program during summer school, each private school participating in the program under this section shall submit to the department all of the following:

1. A copy of the school's current certificate of occupancy ~~issued by the city~~ ^{issued by the city}. If the private school moves to a new location, the private school shall submit a copy of the new certificate of occupancy ~~issued by the city~~ to the department before the attendance of pupils at the new location and before the next succeeding date specified in s. 121.05 (1) (a). A temporary certificate of occupancy does not meet the requirement of this subdivision.

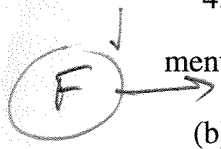
2. Evidence of financial viability, as prescribed by the department by rule.

3. Proof that the private school's administrator has participated in a fiscal management training program approved by the department.

(8) There is created a pupil assignment council composed of one representative from each private school participating in the program under this section. Annually by June 30, the council shall make recommendations to the participating private schools to achieve, to the extent possible, a balanced representation of pupils participating in the program under this section.


(10) (a) The state superintendent may issue an order barring a private school from participating in the program under this section in the current school year if the state superintendent determines that the private school has done any of the following:

1. Misrepresented information required under sub. (7) (d).
2. Failed to provide the notice required under sub. (2) (a) ²~~3~~, or the information required under sub. (7) (am) or (d), by the date or within the period specified. *
3. Failed to refund to the state any overpayment made under sub. (4) (b) or (4m) by the date specified by department rule.
4. Failed to meet at least one of the standards under sub. (7) (a) by the date specified by department rule.

 (b) The state superintendent may issue an order immediately terminating a private school's participation in the program under this section if he or she determines that conditions at the private school present an imminent threat to the health or safety of pupils.

(c) Whenever the state superintendent issues an order under par. (a) ^{or (am)} or (b), he or she shall immediately notify the parent or guardian of each pupil attending the private school under this section.

(d) The state superintendent may withhold payment from a parent or guardian under subs. (4) and (4m) if the private school attended by the child of the parent or guardian violates this section.

(11) The department shall promulgate rules to implement and administer this section. 

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 105; 2003 a. 33, 155; 2005 a. 25.

END

* Page 3, line 1: substitute "r." for "v."

SENATE BILL 618

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 118.43 (6) (b) (intro.) of the statutes, as affected by 2005 Wisconsin Act 25, is amended to read:

118.43 (6) (b) (intro.) From the appropriation under s. 20.255 (2) (cu), subject to par. (e), the department shall pay to each school district that has entered into a contract with the department under this section an amount determined as follows:

SECTION 2. 118.43 (6) (b) 9. of the statutes, as created by 2005 Wisconsin Act 25, is amended to read:

118.43 (6) (b) 9. In the 2005-06 and ~~any subsequent 2006-07 school year years,~~ \$2,000 multiplied by the number of low-income pupils enrolled in grades eligible for funding in each school in the school district covered by renewals of contracts under sub. (2) (g); and in the 2007-08 school year and any subsequent school year, \$2,250 multiplied by the number of low-income pupils enrolled in grades eligible for funding in each school in the school district covered by renewals of contracts under sub. (2) (g).

SECTION 3. 118.43 (6) (c) of the statutes is repealed.

SECTION 4. 119.23 (2) (a) 1. of the statutes is amended to read:

119.23 (2) (a) 1. The pupil is a member of a family that has a total family income that does not exceed an amount equal to 1.75 times the poverty level determined in accordance with criteria established by the director of the federal office of management and budget. A pupil attending a private school under this section

whose family income increases may continue to attend a private school under this

} place

SENATE BILL 618

SECTION 4

A : 2

1 section if the pupil is a member of a family that has a total family income that does
2 not exceed an amount equal to 2.2 times the poverty level determined in accordance
3 with criteria established by the director of the federal office of management and
4 budget. For purposes of admission to a private school under this section, siblings of
5 pupils attending a private school under this section are subject to the higher income
6 limit. If a pupil attending a private school under this section ceases to attend a
7 private school under this section, the lower income limit applies unless the pupil is
8 a sibling of a pupil attending a private school under this section.

9 **SECTION 5.** 119.23 (2) (a) 2. of the statutes is repealed.

10 **SECTION 6.** 119.23 (2) (a) 7. of the statutes is created to read:

11 119.23 (2) (a) 7. The private school achieves accreditation by the Wisconsin
12 North Central Association, the Wisconsin Religious and Independent Schools
13 Accreditation, the Independent Schools Association of the Central States, the
14 Archdiocese of Milwaukee, the Institute for the Transformation of Learning at
15 Marquette University, or any other organization recognized by the National Council
16 for Private School Accreditation, by December 31 of the 3rd school year following the
17 first school year that begins after June 30, 2006, in which it participates in the
18 program under this section, or the private school was approved for scholarship
19 funding for the 2005-06 school year by Partners Advancing Values in Education.

20 **SECTION 7.** 119.23 (2) (b) of the statutes is amended to read:

21 119.23 (2) (b) No more than 15% of the school district's membership 22,500
22 pupils, as counted under s. 121.004 (7), may attend private schools under this
23 section. If in any school year there are more spaces available in the participating
24 private schools than the maximum number of pupils allowed to participate, the
25 department shall prorate the number of spaces available at each participating

SENATE BILL 618

B

~~section if the pupil is a member of a family that has a total family income that does not exceed an amount equal to 2.2 times the poverty level determined in accordance with criteria established by the director of the federal office of management and budget. For purposes of admission to a private school under this section, siblings of pupils attending a private school under this section are subject to the higher income limit. If a pupil attending a private school under this section ceases to attend a private school under this section, the lower income limit applies unless the pupil is a sibling of a pupil attending a private school under this section.~~

SECTION 5. 119.23 (2) (a) 2. of the statutes is repealed.

SECTION 6. 119.23 (2) (a) 7. of the statutes is created to read:

119.23 (2) (a) 7. ⁶⁰ The private school achieves accreditation by the Wisconsin North Central Association, the Wisconsin Religious and Independent Schools Accreditation, the Independent Schools Association of the Central States, the Archdiocese of Milwaukee, the Institute for the Transformation of Learning at Marquette University, or any other organization recognized by the National Council for Private School Accreditation, by December 31 of the 3rd school year following the first school year that begins after June 30, 2006, in which it participates in the program under this section, or the private school was approved for scholarship funding for the 2005-06 school year by Partners Advancing Values in Education.

SECTION 7. 119.23 (2) (b) of the statutes is amended to read:

~~119.23 (2) (b) No more than 15% of the school district's membership 22,500 pupils, as counted under s. 121.004 (7), may attend private schools under this section. If in any school year there are more spaces available in the participating private schools than the maximum number of pupils allowed to participate, the department shall prorate the number of spaces available at each participating~~

SENATE BILL 618

~~private school~~ Whenever the state superintendent determines that the limit is reached, he or she shall issue an order prohibiting the participating private schools from accepting additional pupils until he or she determines that the number of pupils attending private schools under this section has fallen below the limit.

SECTION 8. 119.23 (7) (e) of the statutes is created to read:

119.23 (7) (e) 1. Annually, each private school participating in the program under this section shall administer a nationally normed standardized test in reading, mathematics, and science to pupils attending the school under the program in the 4th, 8th, and 10th grades. The private school may administer additional standardized tests to such pupils. Beginning in 2006 and annually thereafter until 2011, the private school shall provide the scores of all standardized tests that it administers to the School Choice Demonstration Project.

2. The legislative audit bureau shall review and analyze the standardized test score data received from the School Choice Demonstration Project. Based on its review, in 2007 and annually thereafter until 2011, the bureau shall report to the legislature under s. 13.172 (2) the results of the standardized tests administered under subd. 1., the scores of a representative sample of pupils participating in the program on the tests under ss. 118.30 and 121.02 (1) (r), and the scores of a comparable group of pupils enrolled in the school district operating under this chapter on the tests under ss. 118.30 and 121.02 (1) (r).

SECTION 9. 119.23 (7) (f) of the statutes is created to read:

119.23 (7) (f) A private school that is neither accredited nor approved under sub. (2) (a) 7., and to which either of the following applies, shall apply for accreditation by December 31 of the school year in which it enters or reenters the program under this section:

SENATE BILL 618

D:1

~~private school Whenever the state superintendent determines that the limit is reached, he or she shall issue an order prohibiting the participating private schools from accepting additional pupils until he or she determines that the number of pupils attending private schools under this section has fallen below the limit.~~

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6 ~~119.23 (7)~~ (e) 1. Annually, each private school participating in the program under this section shall administer a nationally normed standardized test in reading, mathematics, and science to pupils attending the school under the program in the 4th, 8th, and 10th grades. The private school may administer additional standardized tests to such pupils. Beginning in 2006 and annually thereafter until 2011, the private school shall provide the scores of all standardized tests that it administers to the School Choice Demonstration Project.

2. The legislative audit bureau shall review and analyze the standardized test score data received from the School Choice Demonstration Project. Based on its review, in 2007 and annually thereafter until 2011, the bureau shall report to the legislature under s. 13.172 (2) the results of the standardized tests administered under subd. 1., the scores of a representative sample of pupils participating in the program on the tests under ss. 118.30 and 121.02 (1) (r), and the scores of a comparable group of pupils enrolled in the school district operating under this chapter on the tests under ss. 118.30 and 121.02 (1) (r).

~~SECTION 9. 119.23 (7) (f) of the statutes is created to read:~~

22 ~~119.23 (7)~~ (f) A private school that is neither accredited nor approved under
23 sub. (2) (a) ⁶ ~~7~~, and to which either of the following applies, shall apply for
24 accreditation by December 31 of the school year in which it enters or reenters the
25 program under this section:

SENATE BILL 618

SECTION 9

D:2

1 1. The private school did not participate in the program under this section
2 during the 2005-06 school year.

3 2. The private school participated in the program under this section during the
4 2005-06 school year but did not participate in the program during the 2006-07
5 school year.

6 **SECTION 10.** 119.23 (9) of the statutes is created to read:

7 119.23 (9) If any accrediting agency specified under sub. (2) (a) 7. determines
8 during the accrediting process that a private school does not meet all of the
9 requirements under s. 118.165 (1), it shall report that failure to the department.

10 **SECTION 11.** 119.23 (10) (am) of the statutes is created to read:

11 119.23 (10) (am) If the state superintendent determines that any of the
12 following have occurred, he or she may issue an order barring the private school from
13 participating in the program under this section in the following school year:

14 1. The private school has not complied with the requirement under sub. (7) (f).

15 2. The private school's application for accreditation has been denied by the
16 accrediting organization.

17 3. The private school has not achieved accreditation within the period allowed
18 under sub. (2) (a) 7.

19 **SECTION 12.** 119.23 (10) (c) of the statutes is amended to read:

20 119.23 (10) (c) Whenever the state superintendent issues an order under par.
21 (a), (am), or (b), he or she shall immediately notify the parent or guardian of each
22 pupil attending the private school under this section.

23 **SECTION 13. Nonstatutory provisions.**

24 (1) Any private school that is neither accredited nor approved as required
25 under section 119.23 (2) (a) 7. of the statutes, as created by this act, that participated

SENATE BILL 618

E

1. The private school did not participate in the program under this section during the 2005-06 school year.

2. The private school participated in the program under this section during the 2005-06 school year but did not participate in the program during the 2006-07 school year.

SECTION 10. 119.23 (9) of the statutes is created to read:

119.23 (9) If any accrediting agency specified under sub. (2) (a) ⁶/₇ determines during the accrediting process that a private school does not meet all of the requirements under s. 118.165 (1), it shall report that failure to the department.

SECTION 11. 119.23 (10) (am) of the statutes is created to read:

119.23 (10) (am) If the state superintendent determines that any of the following have occurred, he or she may issue an order barring the private school from participating in the program under this section in the following school year:

1. The private school has not complied with the requirement under sub. (7) (f).
2. The private school's application for accreditation has been denied by the accrediting organization.
3. The private school has not achieved accreditation within the period allowed under sub. (2) (a) 7.

SECTION 12. 119.23 (10) (c) of the statutes is amended to read:

119.23 (10) (c) Whenever the state superintendent issues an order under par. (a), (am), or (b), he or she shall immediately notify the parent or guardian of each pupil attending the private school under this section.

SECTION 13. Nonstatutory provisions.

(1) Any private school that is neither accredited nor approved as required under section 119.23 (2) (a) 7. of the statutes, as created by this act, that participated

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SECTION 9

1. The private school did not participate in the program under this section during the 2005-06 school year.

2. The private school participated in the program under this section during the 2005-06 school year but did not participate in the program during the 2006-07 school year.

SECTION 10. 119.23 (9) of the statutes is created to read:

119.23 (9) If any accrediting agency specified under sub. (2) (a) 7. determines during the accrediting process that a private school does not meet all of the requirements under s. 118.165 (1), it shall report that failure to the department.

SECTION 11. 119.23 (10) (am) of the statutes is created to read:

119.23 (10) (am) If the state superintendent determines that any of the following have occurred, he or she may issue an order barring the private school from participating in the program under this section in the following school year:

1. The private school has not complied with the requirement under sub. (7) (f).

2. The private school's application for accreditation has been denied by the accrediting organization.

3. The private school has not achieved accreditation within the period allowed under sub. (2) (a) ⁶/₇.

SECTION 12. 119.23 (10) (c) of the statutes is amended to read:

119.23 (10) (c) Whenever the state superintendent issues an order under par. (a), (am), or (b), he or she shall immediately notify the parent or guardian of each pupil attending the private school under this section.

SECTION 13. Nonstatutory provisions.

(1) Any private school that is neither accredited nor approved as required under section 119.23 (2) (a) 7. of the statutes, as created by this act, that participated